

## **MAY 19, 2014**

The regularly scheduled meeting of the Mansfield Township Land Use Board was called to order by Chairman Ali Vaezi at 7:30 PM.

The meeting was opened by stating that adequate notice of this public meeting had been provided in accordance with the Open Public Meetings Act by:

1. posting a notice of this meeting on the bulletin board of the Municipal Building;
2. causing said notice to be published in The Express Times;
3. furnishing said notice to those persons requesting it pursuant to the Open Public Meetings Act; and
4. filing said notice with the Township Clerk.

Present: Vaezi, Mayor Tomaszewski, Watters, Spender, Farino, Drazek, Hight, Sams, Keggan, Hazen.

Absent: Barton, Creedon.

Also present: William Edleston, Esquire; Drew DiSessa, P.E.

The Pledge of Allegiance was recited.

Regarding the minutes of the April 21, 2014 meeting, Farino indicated he was not present at the meeting, and therefore could not have seconded the last motion on the first page.

**MOTION** was made by **WATTERS** to approve the minutes of the April 21, 2014 meeting with the last motion on page one to reflect the motion was seconded by Spender.

**SECONDED: HIGHT.**

Those in favor: Mayor Tomaszewski, Watters, Spender, Hight, Sams, Keggan, Vaezi.

Opposed: None.

Abstained: Farino, Drazek.

**MOTION** was made by **HIGHT** to approve the executive session minutes of the April 21, 2014 meeting, as written.

**SECONDED: VAEZI.**

Those in favor: Watters, Spender, Hight, Sams, Keggan, Mayor Tomaszewski, Vaezi.

Opposed: None.

Abstained: Farino, Drazek.

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**Case #14-03, Joseph Marchese**

Present for the applicant: Joseph Marchese

Edleston stated the application was deemed incomplete at the last meeting, and additional information has since been submitted.

DiSessa agreed the application can now be deemed complete.

**MOTION** was made by **DRAZEK** to deem the application for Case #14-03, Joseph Marchese complete.

**SECONDED: HIGHT.**

Those in favor: Spender, Farino, Drazek, Hight, Sams, Mayor Tomaszewski, Watters, Vaezi.

Opposed: None.

Abstained: None.

Marchese was sworn in by Edleston, and explained he was requesting the variances for an addition to his home in order to provide more space for his family. Marchese stated he would finalize the configuration once the variances were approved.

Edleston stated the resolution could indicate the addition would not exceed 1,064 square feet.

DiSessa stated the dimension numbers should be clarified, because the plans **show** several different numbers.

Vaezi asked if the set of stairs shown on the plan would be relocated. Marchese replied the stairs would be relocated to the area currently showing the location of the oil tank. Marchese stated the oil tank had been removed some time ago.

Edleston indicated the sketch submitted should be attached to the resolution, and the addition should not be constructed any closer than the setbacks for the rear and side yards as shown. Edleston asked the height of the proposed addition, and DiSessa replied the height is proposed at 19'.

The hearing was opened to the public for comments and questions. There were no comments or questions from the public. The hearing was closed to the public.

**MOTION** was made by **HIGHT** to approve the rear and side yard variances as requested for Case #14-03, Joseph Marchese, subject to the above comments.

**SECONDED: SPENDER.**

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Those in favor: Farino, Drazek, Hight, Sams, Keggan, Mayor Tomaszewski, Watters, Spender, Vaezi.

Opposed: None.

Abstained: None.

Edleston asked if Marchese wanted a letter from the Board indicating the Board approved the variances. Edleston asked if Marchese planned to make his construction application prior to the next meeting. Marchese indicated he had to go back to the bank for funding, and he would just wait the thirty days.

The Chairman welcomed Phil Hazen back to the board.

Mike DeTomasso, from the audience, asked if Pet Smart was going to occupy the vacant Sears store. DiSessa replied there has been interest from Pet Smart, but they have not made any formal request.

**MOTION** was made by **MAYOR TOMASZEWSKI** to adjourn to Executive Session at 7:52 PM to discuss pending litigation with The Meadows at Mansfield.

**SECONDED: VAEZI.**

Those in favor: Drazek, Hight, Sams, Keggan, Mayor Tomaszewski, Watters, Spender, Farino, Vaezi.

Opposed: None.

Abstained: None.

**MOTION** was made by **MAYOR TOMASZEWSKI** to return to the regular session and out of executive session at 9:56 PM.

**SECONDED: HIGHT.**

Voice vote: ALL IN FAVOR.

**MOTION** was made by **MAYOR TOMASZEWSKI** to approve negotiation with The Meadows at Mansfield, retaining age restricted housing, allowing 80% of fees to be absorbed, removing further litigation from the settlement, and the 40 additional lots to remain as age restricted.

**SECONDED: SPENDER.**

Those in favor: Hight, Keggan, Mayor Tomaszewski, Watters, Spender, Farino, Drazek, Vaezi.

Opposed: Sams.

Abstained: None.

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**MOTION** was made by **SAMS** to authorize payment by the Township Committee the invoices submitted by the professionals.

**SECONDED: VAEZI.**

Those in favor: Sams, Keggan, Mayor Tomaszewski, Watters, Spender, Farino, Drazek, Hight, Vaezi.

Opposed: None.

Abstained: None.

Sams asked if the board had received anything from the Yusen Company. Edleston replied he spoke with the engineer, and they needed another month to complete the engineering.

Mayor Tomaszewski asked if there was any action on the trailer at the Messick property. DiSessa replied the Father **may have** been taken back to the VA hospital, and the trailer should be relocated. DiSessa stated he would write a letter to the property owner indicating the trailer should be removed or relocated out of the setback. DiSessa stated he would give the property owner 30 days for compliance.

**MOTION** was made by **MAYOR TOMASZEWSKI** to adjourn the meeting at 10:06 PM.

**SECONDED: HIGHT.**

Voice vote: ALL IN FAVOR.

Respectfully submitted,

Patricia D. Zotti, Clerk  
(As Amended)